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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CASE NO. MAG - 01-224-GGH
	)	
Plaintiff,	)	
	)	
v.	)	MOTION TO DISMISS CRIMINAL
	)	COMPLAINT AND WARRANT FOR
EVAN THEODORE SMITH PRYOR,	)	ARREST FOR EVAN THEODORE SMITH
	)	PRYOR; ORDER THEREON
Defendant.	)	
	)	
	)	

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Pursuant to Rule 48 of the Federal Rules of Criminal Procedure, the United States of America, by and through its undersigned counsel, hereby moves the Court, in the interest of justice, for an order dismissing without prejudice the criminal complaint and warrant for arrest for Evan Theodore Smith Pryor.

A complaint charging Pryor and others with conspiracy to commit mail and wire fraud was filed over ten years ago, on approximately November 7, 2001. A no-bail warrant was issued for Pryor's arrest. Pryor was one of several defendants charged with crimes emanating from the Tri-West Investment Club, an Internet-based investment fraud scheme, which resulted in the conviction of Alyn Waage, Cary Alyn

1 Waage, Michael Webb, and Keith Nordick. Pryor has never been  
2 apprehended.

3 Dated: April 25, 2012

4 BENJAMIN B. WAGNER  
5 United States Attorney

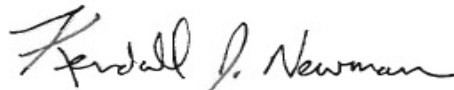
6 By, /s/ John K. Vincent  
7 JOHN K. VINCENT  
8 Assistant U.S. Attorney  
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10 O R D E R

11 Based on the motion of the government, and GOOD CAUSE APPEARING  
12 THEREFORE, the Court hereby orders that the complaint and arrest  
13 warrant filed against Evan Theodore Smith Pryor are hereby dismissed  
14 without prejudice.

15 IT IS SO ORDERED.

16 Dated: April 25, 2012  
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21 KENDALL J. NEWMAN  
22 UNITED STATES MAGISTRATE JUDGE  
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